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PATENT

Attorney Docket No. 03495.0010-17000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MARC ALIZON et al.

Serial No.: 08/177,920

18C

Filed: January 6, 1994

Group Art Unit: 1813

Examiner: J. Stucker

For: DIAGNOSTIC KITS AND METHODS)  
FOR DETECTING THE PRESENCE )  
OF HUMAN IMMUNODEFICIENCY )  
VIRUS TYPE 1 (HIV-1) (as )  
amended) )

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Honorable Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

This paper is filed in response to a Restriction  
Requirement mailed August 29, 1994.

The Examiner required restriction under 35 U.S.C. § 121  
between the following groups of claims:

Group I, claims 1-18, drawn to nucleic acid  
probes and methods of use; and

Group II, claims 19-24, drawn to peptides,  
antibodies, and methods of use.

In a telephone discussion with the Examiner on  
September 21, 1994, applicants noted that claims 1-10 were  
cancelled in the Rule 60 Divisional application and Preliminary  
Amendment filed January 6, 1994. Accordingly, Group I should  
consist of claims 11-18, and not claims 1-18.

Applicants provisionally elect to prosecute Group I, claims 11-18, drawn to nucleic acid probes and methods of use, without traverse.

If there are any fees due in connection with the filing of this Response, please charge the fees to our Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER

By: Michele M. Schaffer  
Michele M. Schaffer  
Reg. No. 34,717

Date: September 28, 1994